



Montana Fish, Wildlife & Parks

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(406) 444-9947

ENVIRONMENTAL ASSESSMENT CHECKLIST

PART I. PURPOSE OF AND NEED FOR ACTION

1. Project Title: Grant Marsh Fishing Access Site Proposed Road Realignment

2. Type of Proposed Action:

Montana Fish, Wildlife & Parks (FWP) proposes to install a concrete low-water crossing and realign the access road on Grant Marsh FAS in order to reestablish access to FAS facilities and repair damage to the access road from 2016 flooding.

3. Location Affected by Proposed Action:

Grant Marsh FAS is located on approximately 7 miles north of Hardin and 20 miles south of Custer, Montana, approximately 1 mile east of State Highway 47 along Grant Marsh Road, SW1/4 of Section 11 Township 1 North Range 33 East.

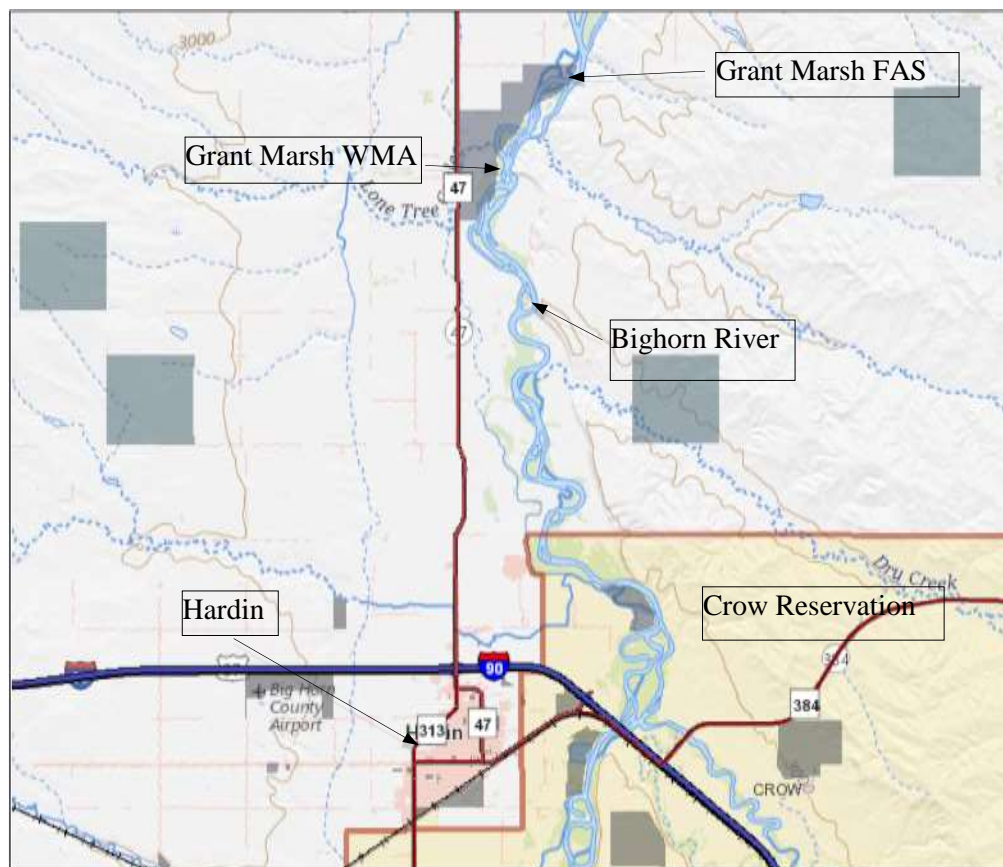


Figure 1 – General Location of Grant Marsh FAS, Hardin, Montana

4. Agency Authority for the Proposed Action:

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Section 87-1-303, MCA, authorizes the collection of fees and charges for the use of fishing access sites, and contains rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the Proposed Action in relation to this rule. See *Appendix A* for HB 495 qualification.

5. Need for the Action(s):

Grant Marsh FAS, located on the Bighorn River approximately 7 miles north of Hardin, Montana, was acquired in fee title in 1978. Existing facilities at the FAS include a singlewide, concrete boat ramp; parking area; concrete vault latrine; staging area, a culvert on the access road; and a ½ -mile long access road. Approximately 500 feet of the Bighorn River bank has been gradually eroding over the years, causing the access road to become increasingly close to the riverbank. During flooding of the Bighorn River in 2016, approximately 400 feet of the access road completely washed away (Figures 3 & 4), cutting off vehicle access to the boat ramp, staging area, and latrine. As a result, Grant Marsh FAS has been closed to vehicle access for two years. Without taking action, the FAS facilities will continue to be closed to vehicles.

6. Objectives for the Action(s):

The objective of the proposed project is to reestablish vehicle access to the Grant Marsh FAS boat ramp, staging area, latrine, and primitive campsites by realigning the FAS access road away from the riverbank and across the property. Approximately ½ mile of new access road would be constructed, including a concrete low-water crossing/ford over a side channel of the Bighorn River.

7. Project Size: estimate the number of acres that would be directly affected:

The proposed project involves the realignment of the FAS access road; the construction of approximately ½ mile of new FAS access road; and installation of a concrete low-water crossing over a side channel on the access road.

8. Affected Environment (A brief description of the affected area of the proposed project):

Grant Marsh FAS is located on 32 acres adjacent to the 104-acre Grant Marsh Wildlife Management Area (WMA), both of which are owned in fee title by FWP. The majority of the FAS is located within the Bighorn River floodway with the remaining acreage located within the 100-year floodplain. Although the Montana Natural Heritage Program (MNHP) Wetland Mapping Program has not completed mapping wetlands in this area, there are side channels of the Bighorn River, sloughs, flood channels, permanent surface waters, and wetlands on the FAS and WMA. Grant Marsh is also located on the site. The primary Ecological Type, as defined by the MNHP, is *Great Plains Floodplain* and is dominated by narrowleaf cottonwood, plains cottonwood, and various willows. The site does not provide critical habitat for any wildlife or plant species. A search of the MNHP element occurrence database indicates occurrences of bald eagle (listed as DM by the US Fish and Wildlife Service (USFWS)) in the vicinity of the proposed project. No other occurrences of federally ranked, or considered for ranking, animal or plant species have been found within the vicinity of the proposed

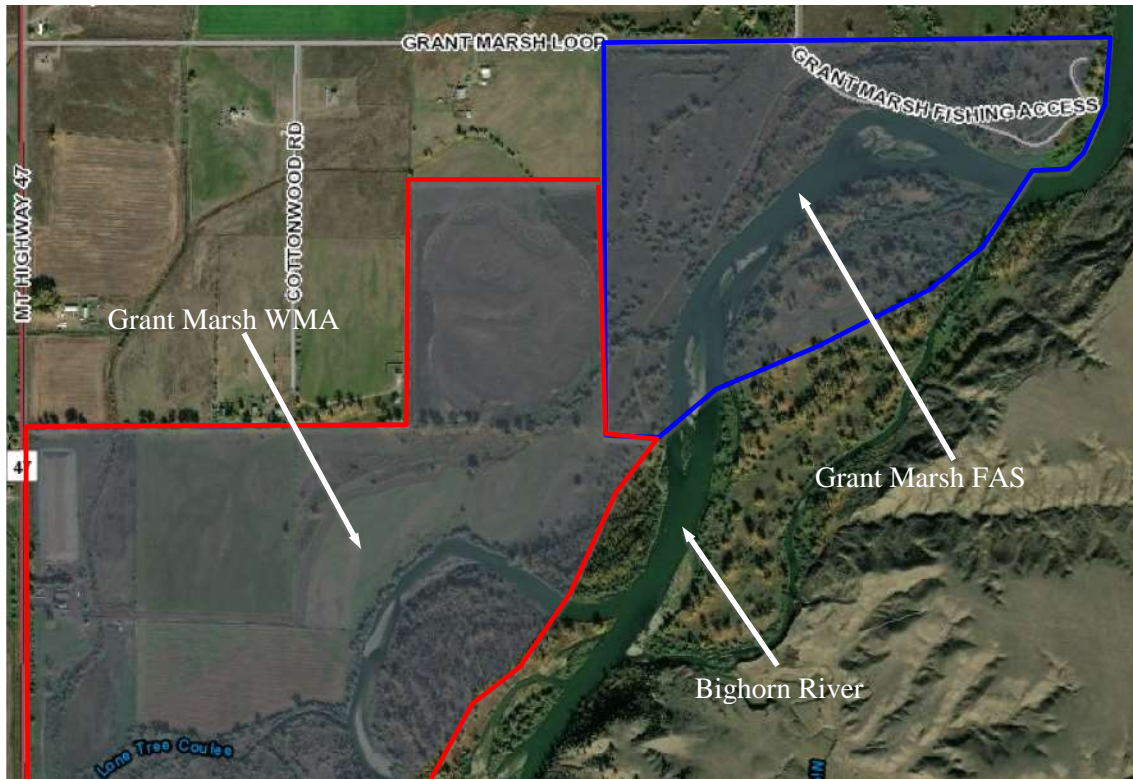


Figure 2 - Grant Marsh FAS and WMA Parcel Map, Hardin, Montana



Figure 3 - Grant Marsh FAS Preliminary Concept Plan, Hardin, Montana

project. The search indicated that great blue heron, greater sage-grouse, Merriam's shrew, Preble's shrew, sauger, plains hog-nosed snake, and spiny softshell, Montana animal Species of Concern, have been observed in or near the proposed project site. Though the USFWS identified black-footed ferret, (listed as LE by USFWS), as present in Bighorn County, black-footed ferret have not been observed in the vicinity of Grant Marsh FAS and the FAS does not provide preferred habitat for this species.

9. Description of Project:

FWP proposes to realign the Grant Marsh FAS access road to replace the portions of the access road washed out during 2016 flooding of the Bighorn River (Figure 4). In addition, a concrete low-water crossing/ford would be installed on the access road over the side channel and a culvert would be installed over a swale on the access road near the boat ramp. The proposed project will minimize the risk of future erosion of the access road and will maintain a safe and permanent access to the FAS facilities.



Figure 4 – Washed Out Access Road, Grant Marsh FAS

10. List any Other Local, State, or Federal Agency that has Overlapping or Additional Jurisdiction:

(a) **Permits:** Permits would be filed at least 2 weeks prior to project start.

<u>Agency Name</u>	<u>Permits</u>
Bighorn County	Floodplain Permit and Sanitation Permit
Montana Dept. of Environmental Quality	318 Short Term Water Quality Standard for Turbidity
Montana Fish, Wildlife & Parks	124 Montana Stream Protection Act
U.DS. Army Corps of Engineers	404 Federal Clean Water Act

(b) Funding:

Agency Name	Funding Amount
Montana Fish, Wildlife & Parks Site Protection Fund	\$147,777

11. History of the Planning and Scoping Process, and Any Public Involvement:

The public will be notified in the following manners to comment on the Grant Marsh FAS Proposed Road Realignment Project and the Proposed Action and alternatives:

- Two public notices in each of these papers: *the Bighorn County New, Billings Gazette, and the Helena Independent Record*.
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.
- Draft EA's will be available at the FWP Region 5 Headquarters in Billings and the FWP State Headquarters in Helena.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 5 issues.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

If requested within the comment period, FWP will schedule and conduct a public meeting on this Proposed Action.

12. Duration of comment period:

The public comment period will extend for (15) fifteen days. Written comments will be accepted until 5:00 p.m., _____ date _____, 2019 and can be emailed to rtaynton@mt.gov or mailed to the addresses below:

Grant Marsh FAS Proposed Road Realignment Project
Montana Fish, Wildlife & Parks, Region 5
2300 Lake Elmo Drive
Billings, MT 59105

13. List of Agencies Consulted/Contacted During Preparation of the EA:

- Montana Fish, Wildlife & Parks
- Montana Natural Heritage Program
- State Historic Preservation Office

14. Names, Address, and Phone Number of Project Sponsor:

Ryan Taynton, FWP Region 5 FAS Manager, 2300 Lake Elmo Drive, Billings, MT 59105, (406) 247-2964

15. Other Pertinent Information:

Grant Marsh FAS (river mile 32) is the only FAS in the 17-mile stretch between General Custer FAS (river mile 24) and Arapooish FAS (river mile 41) and is a heavily used site for boating, floating, fishing, picnicking, primitive camping, wildlife viewing, and walking. FWP obtained a letter of Concurrence from the State Historic Preservation Office (SHPO) on FWP recommendations for the project (**Appendix**). If cultural materials are discovered during construction, work would cease and SHPO would be contacted for a more in-depth investigation. The Bighorn River in the vicinity of Grant Marsh FAS is an active channel and several active side channels and sloughs cross the property. A culvert is currently located on the access road across one

of the side channels (Figure 3) and a concrete low-water crossing/ford would be installed in that location. A new culvert would be installed on the proposed access road near the boat ramp (Figure 3).

PART II. IDENTIFICATION OF THE PREFERRED ALTERNATIVES

Alternative A, the Proposed Alternative, and Alternative B, the No Action Alternative, were considered.

- **Alternative A (Proposed Alternative)** is as described in Part I, paragraph 9 (Description of Project), to realign the access road away from the riverbank across the inland portion of the FAS and construct a concrete low-water crossing on the access road over a side channel of the river. There are beneficial consequences to acceptance of the **Proposed Alternative**.
- **Alternative B (No Action Alternative)** Under the No Action Alternative, the road realignment would be denied and the area would remain as an active fishing access site without vehicle access to the FAS facilities. Without taking additional action, the access road will continue to be closed and vehicle access to the FAS will continue to be cut off. The No Action Alternative would have no significant or potentially negative environmental impacts or consequences. The FAS would continue on in its present conditions and the land use on the adjacent land would remain the same.

Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented: Only the proposed alternative and the no action alternative were considered. There were no other alternatives that were deemed reasonably available, nor prudent. No attempts have been made to repair the access road in its current location due to the extent of the damage. Neither the Proposed Alternative nor the No Action Alternative would have significant negative environmental or potentially negative consequences.

Describe any Alternatives considered and eliminated from Detailed Study:

None. Only the proposed alternative and the no action alternative were considered. There was no other alternative that were deemed reasonably available, or prudent. Neither the **Proposed Alternative** nor the **No Action Alternative** would have significant negative environmental or potentially negative consequences.

List and explain proposed mitigating measures (stipulations): None

PART III. ENVIRONMENTAL REVIEW

Abbreviated Checklist – The degree and intensity determines the extent of Environmental Review. An abbreviated checklist may be used for those projects that are not complex, controversial, or are not in environmentally sensitive areas.

Table 1. Potential impact on physical environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Below
1. Unique, endangered, fragile, or limited environmental resources				X		1
2. Terrestrial or aquatic life and/or habitats				X		2
3. Introduction of new species into an area				X		3

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Below
4. Vegetation cover, quantity & quality				X		4
5. Water quality, quantity & distribution (surface or groundwater)				X		5
6. Existing water right or reservation				X		6
7. Geology & soil quality, stability & moisture				X		7
8. Air quality or objectionable odors				X		8
9. Historical & archaeological sites				X		9
10. Demands on environmental resources of land, water, air & energy				X		10
11. Aesthetics				X		11

- 1.** No designated critical habitat for any wildlife species is located on or near the proposed project. According to the MNHP, observations of bald eagle (listed as DM by the USFWS) have been recorded in the vicinity of the proposed project. No other occurrences of federally ranked, or considered for ranking, animal or plant species have been found within the vicinity of the proposed project.
- 2.** The proposed project would have only minor and short-term impacts on wildlife and native plant species. Resident or transient wildlife may temporarily leave the area during construction but would return upon project completion.
- 3.** No new animal or plant species would be introduced to the site as a result of the proposed project.
- 4.** The elimination of vegetation for the construction of the new access road would not change the overall abundance and diversity of plant species within the area. The proposed project occupies a small portion of the property. Due to prior flooding of the FAS and surrounding area, native vegetation has been disturbed in the vicinity of the proposed project. Therefore, the proposed project will have no or minor impact on native vegetation in the area.
- 5.** The proposed project would have no negative impact on water quality, quantity, and distribution. In fact, water quality would improve by reducing riverbank erosion and sedimentation of the river by moving the access road away from the river.
- 6.** The proposed project would have no impact on water rights or reservation.
- 7.** The proposed project will cause limited displacement of soils but the developments will not substantially effect geological features or establish new erosion patterns. Soil disruption during

construction would be localized. Erosion control measures will be in effect and disturbed areas will be reseeded.

8. Minor and temporary dust and vehicle emissions would be created by construction equipment during construction. However, the construction time is short and human effects will be limited due to the sparse population near the property.

9. This project uses no federal funds so the Federal 106 Regulations do not apply. FWP obtained a letter of Concurrence from the State Historic Preservation Office (SHPO) on FWP recommendations for the project (**Appendix**). If cultural materials are discovered during construction, work would cease and SHPO would be contacted for a more in-depth investigation.

11. Because the area is already used as a FAS and the project area is small, the proposed project would have no additional impact on the aesthetics of the area.

Table 2. Potential impacts on human environment.

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Below
1. Social structures and cultural diversity				X		1
2. Changes in existing public benefits provided by wildlife populations and/or habitat				X		2
3. Local and state tax base and tax revenue				X		3.
4. Agricultural production				X		4
5. Human health				X		5
6. Quantity & distribution of community & personal income				X		
7. Access to & quality of recreational activities				X		7
8. Locally adopted environmental plans & goals (ordinances)				X		
9. Distribution & density of population and housing				X		

10. Demands for government services				X		
11. Industrial and/or commercial activity				X		

1. The proposed project will have no impact on social structures and cultural diversity.
2. The proposed project would have no impact on existing public benefits provided by wildlife populations and/or habitat.
3. The proposed project would have no impact on local and state taxes and tax revenues.
4. Though the site is adjacent to surrounding agricultural land used for grazing and hay production, the site has not been in agricultural for years.
5. The proposed project would have no impact on human health and would improve public safety.
7. The proposed developments will improve recreational opportunities within the community.

PART IV. NARRATIVE EVALUATION AND COMMENT

All of the pertinent or potential impacts of the project have been reviewed, discussed, and analyzed. The proposed project is not complex, controversial, or located in an environmentally sensitive area. The project being implemented is already on an existing FAS or altered areas that together with the insignificant environmental effects of the proposed action, indicates that this should be considered the final version of the environmental assessment. There are no significant environmental or economic impacts associated with the proposed alternative.

PART V. ENVIRONMENTAL CONSEQUENCES

Does the proposed action involve potential risks or adverse effects, which are uncertain but extremely harmful if they were to occur? No

Does the proposed action have impacts that are individually minor, but cumulatively significant or potentially significant? Individually, the proposed actions have minor impacts. However, it was determined that there are no significant or potentially significant cumulative impacts. Cumulative impacts have been assessed considering any incremental impact of the proposed action when they are combined with other past, present, and reasonably foreseeable future actions, and no significant impacts or substantially controversial issues were found. There are no extreme hazards created with this project and there are no conflicts with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan.

Recommendation and justification concerning preparation of EIS:

There are no significant environmental or economic impacts associated with the proposed alternative; therefore, an EIS is not required.

PART VI. EA CONCLUSION SECTION

Individuals or groups contributing to, or commenting on, this EA:

- Ryan Taynton, Region 5 FAS Manager, 2300 Lake Elmo Drive, Billings, MT 59105, (406) 247-2964
- MT Fish Wildlife and Parks
- State Historic Preservation Office (SHPO)
- Montana Natural Heritage Program (MNHP)

EA prepared by:

Andrea Darling, Darling Natural Resource Consulting, Montana City, MT 59634

Date Completed:

March 4, 2019

Describe public involvement, if any:

This draft EA will be advertised on FWP's web site and through a legal ad in the ***Bighorn County News, Harding, MT*** and the ***Billings Gazette, Billings, MT*** announcing a public comment period. A press release will also announce the project and comment period.

APPENDIX

Big Sky. Big Land. Big History.
Montana
Historical Society

October 12, 2018

Bardell Mangum, PLA
Landscape Architect
Montana Fish, Wildlife & Parks
1522 9th Ave
P.O. Box 200701
Helena, MT 59620-0701

Re: Grant Marsh WMA/FAS Cultural Resource Inventory
Big Horn County, Montana

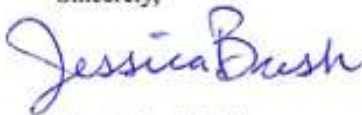
Dear Mr. Mangum:

Thank you for the letter, received October 9, 2018, regarding the proposed Grant Marsh WMA/FAS project in Powell County, Montana. We concur that cultural resource 24BH3916 (Bunston Farmstead) is Not Eligible for the National Register of Historic Places.

We also concur that this undertaking will have No Adverse Effect on Historic Properties, specifically the Big Horn Low Line Canal (24BH2445).

If you have any questions or concerns, do not hesitate to contact me at (406)444-0388 or JBush2@mt.gov. Thank you for consulting with us.

Sincerely,



Jessica Bush, M.A.
Review and Compliance Officer
Montana State Historic Preservation Office

*Historic Preservation
Museum
Outreach & Interpretation
Publications
Research Center*

RECEIVED

OCT 16 2018

DESIGN & CONSTRUCTION
DEPT. OF FISH, WILDLIFE & PARKS



1522 9th Avenue
P.O. Box 200701
Helena, Montana 59620-0701

Jessica Bush, M.A.
Review and Compliance Officer
State Historical Preservation Office
P.O. Box 201201
225 North Roberts
Helena, Montana 59620-1202

RE: Grant Marsh WMA/FAS Cultural Resource Inventory

October 5, 2018

Dear Ms. Bush:

Thank you for your review of the inventory, *Montana Fish Wildlife and Parks Grant Marsh Wildlife Management Area/Fishing Access Site Big Horn County, Montana: Cultural Resource Inventory and Evaluation* and the eligibility recommendations of the consultant.

Given the additional information regarding the Howard Bunston office in downtown Hardin, we have no reason to disagree with the SHPO recommendation of the Bunston Farmstead (24BH3916) as ineligible for NRHP listing. We agree with the effect determination of No Adverse Effect to Historic Properties for the proposed undertaking. We request your concurrence.

Please feel free to contact me at (406) 841-4012 or by e-mail at bmangum@mt.gov if you have any questions or concerns regarding the proposed project.

Sincerely,

Bardell Mangum, PLA
Landscape Architect
Design & Construction

cc: File 407.1; Ryan Taynton FWP; Megan O'Reilly FWP